



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

*Promoting the wise use of land
Helping build great communities*

MEETING DATE October 21, 2016 LOCAL EFFECTIVE DATE November 4, 2016 APPROX FINAL EFFECTIVE DATE November 25, 2016	CONTACT/PHONE Brandi Cummings, Project Manager 805-781-1006 bcummings@co.slo.ca.us	APPLICANT Allen and Marci Suvanto	FILE NO. DRC2016-00001
SUBJECT A request by ALLEN & MARCI SUVANTO for a Minor Use Permit/Coastal Development Permit (DRC2016-00001) to allow the enclosure of an existing exterior stairway (158 square-feet) and the expansion of an existing deck (109 square-feet) to an existing single family residence. The project will result in the permanent disturbance of approximately 325 square-feet on a 5,660 square-foot parcel. The proposed project is within the Residential Single-Family land use category and is located at 486 Bristol Street, approximately 0.2 miles south of the Windsor Boulevard and CA Highway 1 intersection, in the Community of Cambria. This site is within the North Coast planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2016-00001 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A Class 1 Categorical Exemption was issued on August 1, 2016.			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Archaeologically Sensitive Area, Geologic Study Area, Local Coastal Plan, Terrestrial Habitat	ASSESSOR PARCEL NUMBER 022-181-018	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Monterey Pine Forest Terrestrial Habitat (SRA), Cambria Community Services District Review, Cambria Fire Department Review, Erosion Control, Landscaping, Exterior Lighting, Archaeological Resource Protection, Residential Single-Family Standards <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Coastal Commission Appealable Zone, Local Coastal Program, Environmentally Sensitive Habitat (ESH), and Terrestrial Habitat Protection, Geologic Study Area, Archaeological Study Area <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242</small>			

EXISTING USES: Single-family dwelling	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family/residences <i>East:</i> Residential Single Family/residences <i>South:</i> Residential Single Family/residences <i>West:</i> Residential Single Family/residences	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: North Coast Advisory Council, Public Works, Cambria Fire, Cambria Community Services District, and California Coastal Commission	
TOPOGRAPHY: Slightly sloping	VEGETATION: Ornamental
PROPOSED SERVICES: Water supply: Cambria Community Services District Sewage Disposal: Cambria Community Services District Fire Protection: Cambria Fire	ACCEPTANCE DATE: September 1, 2016

DISCUSSION

The applicant is proposing to enclose the existing entry stairs (currently exterior) and to enlarge a portion of the existing deck (109 square-feet). The stair enclosure will create a foyer on the lower floor at the entrance and a mezzanine on the upper floor landing. The mezzanine will require the removal of 77 square feet of the existing deck. The applicant is also proposing to remodel the existing lower floor to include a game room, bedroom, nook, and storage. The two car garage will not be affected.

PLANNING AREA STANDARDS:

As described below, the project complies with applicable Combining Designations, Cambria Urban Area, and the Residential Single Family development standards of the North Coast Area Plan.

Monterey Pine Forest Terrestrial Habitat (SRA) (TH). The purpose of these standards is to minimize tree removal and avoid impacts to the sensitive Monterey pine forest habitat. All development within Monterey pine forest (TH) shall include the following minimum standards:

- A. **Establishment of a 'project limit area.'** A project limit area shall be established in a manner that avoids Monterey pine forest impacts to the maximum extent feasible, is located on the least sensitive portion of the site, and safeguards the biological continuance of the habitat. The project limit area shall include all areas of the site where vegetation will need to be trimmed or removed for fire safety purposes.
- B. **New Development siting.** Applications for new development within the Monterey pine forest shall demonstrate that no native vegetation outside the "project limit area" shall be removed, except for trees identified as hazardous by a qualified professional.
- C. **Plan Requirements.** All site, construction and grading plans submitted to the County shall identify by species and diameter all Monterey pine trees that are six inches or more in diameter 4.5 feet above ground and oak trees four inches or more in diameter 4.5 feet

above ground identified by species and diameter. The plans shall indicate which trees are to be retained and which trees are proposed for removal.

- D. **Construction Practices.** Construction practices to protect Monterey pines, oak trees and significant understory vegetation shall be implemented.
- E. **Replacement of Vegetation.** Any Monterey pine trees that are six inches or more in diameter 4.5 feet above the ground shall be replaced at a 4:1 ratio for each tree removed, and at a 2:1 ratio for each tree impacted but not removed. Any oak trees that are four inches in diameter 4.5 feet above ground shall be replaced at a 6:1 ratio for each tree removed, and at a ratio of 3:1 ratio for each tree impacted but not removed. All open areas of the site disturbed by project construction are to be seeded with native, drought and fire resistant species that are compatible with the habitat value of the surrounding forest.
- F. **Understory Vegetation Removal.** No understory vegetation shall be removed until a permit has been issued or unless an immediate hazardous condition exists. Understory vegetation removal to create, improve, or maintain adequate defensible space and Fire Hazard Fuel Reduction shall be the minimum necessary

Staff comments: The project complies with these standards because there are no Monterey pines or oak trees on site, and the proposed stair enclosure and deck expansion is in a previously disturbed and paved area, and no vegetation removal is proposed.

Cambria Community Services District Review. Prior to application acceptance, land use and building permit applications shall include a written verification of water and sewer service from the Cambria Community Services District. A water and sewer service condition compliance letter from the Cambria Community Services District shall be provided to the Department of Planning and Building prior to final building inspection.

Staff comments: The proposed project is consistent with this standard because the applicant submitted a Confirmation of Water & Sewer Availability letter from the Cambria Community Services District dated August 1, 2016.

Cambria Fire Department Review. All new development shall comply with applicable state and local Cambria fire codes. Prior to application acceptance, land use and building permit applications shall include a fire plan review from the Cambria Fire Department.

Staff comments: The applicant submitted a Fire Plan Review from the Cambria Fire Department dated August 30, 2016.

Erosion Control. In addition to other applicable requirements of the Coastal Zone Land Use Ordinance, all runoff from impervious surfaces such as roofs, driveways, walks, patios, and/or decks shall be collected and retained on-site to the greatest extent possible. Run-off not able to be retained on-site shall be passed through an effective erosion control device or filtration system approved by the Public Works Department. Impermeable surfaces should be minimized in order to maximize the amount of on-site run-off infiltration.

Staff comments: The applicant is required and conditioned to submit drainage, erosion, and sedimentation control plans at the time of construction permit application

Landscaping. All areas of the site disturbed by project construction shall be revegetated with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest. Non-native, invasive, fire prone, and water intensive (i.e. turf grass) landscaping shall be prohibited on the entire site. All landscaping and construction practices shall work to maintain and regenerate habitat values. Plant materials shall be used to mimic or enhance naturally occurring vegetation. Materials shall be propagated from appropriate native stock to ensure that the gene pool is not diluted for endemic species. This is particularly true for Monterey Pines and riparian plantings. A list of prohibited plants, such as Pampas grass and Scotch broom, is available from the Department of Planning and Building. Use of plants listed in the California Invasive Plant Council (Cal IPC) Invasive Plant Inventory is prohibited.

Staff comments: The proposed stair enclosure and deck expansion are located on a previous disturbed, paved driveway area with no landscaping. No additional landscaping is required as part of this project.

Exterior Lighting. Use only the minimum amount necessary to achieve essential illumination. All light fixtures, including security lighting, shall be aimed and shielded so that the direct illumination shall be confined to the property boundaries source. Particular care is to be taken to assure that the direct illumination does not fall onto or across any public or private street or road. Motion sensing light fixtures shall be fully shielded and properly adjusted, according to the manufacturer's instructions, to turn off when detected motion ceases. All light fixtures are required to be fully shielded.

Staff comments: No exterior lighting is proposed at this time. Any lighting plans will be reviewed at time of construction permit application for compliance with this standard.

Archaeological Resource Protection. New development projects that have the potential to impact archaeological resources shall be referred to the affected Native American tribe. In the event archaeological resources are unearthed or discovered during any construction activities, construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law. Construction activities shall not commence until a mitigation plan, prepared by a qualified professional archaeologist in consultation with appropriate Native American representatives and reviewed and approved by the Planning Director, is completed and implemented. The mitigation plan shall include measures to avoid the resources to the maximum degree feasible and shall provide mitigation for unavoidable impacts. A report verifying that the approved mitigation plan has been completed shall be submitted to the Planning Director prior to occupancy or final inspection, whichever occurs first. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

Staff comments: This project will create approximately 325 square-feet of site disturbance in a previously graded and paved driveway area. The project is conditioned to cease construction in the event archaeological resources are uncovered.

Residential Single-Family

The following table shows the project's compliance with the applicable setbacks, height, gross structural area (GSA), and footprint standards of the North Coast Area Plan:

Lot Size: 5,250 square feet
 Area: Typical Lot (2-Story)
 Oversized lot adjustment: n/a

Slope: approximately 9%
 Number of trees to be removed: 0
 Base: 5,250 SF Footprint

PROJECT REVIEW	ALLOWABLE	TOTAL PROPOSED	STATUS
FOOTPRINT (SQUARE FEET)	1,700	1,628	OK
GSA (SQUARE FEET)	2,600	2,676	OK with TDCs
HEIGHT (FEET)	28	22 ¼	OK
TRANSFER DEVELOPMENT CREDITS	400		OK
DECKS (SQUARE FEET)			
PERMEABLE	510	310	OK
SOLID	170	156	OK
SETBACKS (FEET)			
FRONT AND REAR COMBINED	25	17*	OK
FRONT	10	10	OK
REAR	10	7*	OK
SIDE	5	3 (left) 32 (right)	OK
SIDES COMBINED (FOR LOTS W/50 FEET OR GREATER FRONTAGE)	12	35	OK

* The existing residence has a legal non-conforming rear setback of 7 feet, and a legal non-conforming front and rear combined setback of 17 feet. The proposed stair enclosure and deck addition will be setback 17 feet and will be in conformance with the setback requirements, and will not worsen the non-conforming situation.

Transfer of Development Credits. The Transfer of Development Credit Program (TDC's) may be used to transfer allowable footprint and GSA for lots within certain areas to more suitable sites within Cambria.

(1) Eligible Purchasers of TDC'S. Purchasers of TDC's may include the following:

a. Owners of small lots within Lodge Hill. Through the transfer of development credits (TDC's), owners of property on Lodge Hill (specifically those areas identified as West Lodge Hill and East Lodge Hill) may be allowed an increase in the allowable footprint and gross structural area on their property.

b. Owners of other small lot properties within the Cambria Urban Reserve Line. Properties with sewer or water service by the Cambria Community Services District (CCSD), may participate in the TDC Program (May include Park Hill and Happy Hill).

c. Other properties. Owners of properties that have been required by planning area standards, conditions of development approval, or other provisions of the Local Coastal Program to offset impacts of development through purchase of TDC's may also participate.

(2) Payment of Fees. Under this program, a fee may be paid to the Land Conservancy of San Luis Obispo County or another TDC program administrator approved by the Director of Planning and Building. The fee must be adequate to allow for purchase of typical lots within the preservation (special study) areas, plus sewer assessments and administrative costs.

(3) Resale Provisions. With the concentration of purchases in specific preservation areas, the program may propose lot consolidation and eventual sale of portions of the preserved area to adjacent property owners. The preserved areas sold to adjacent property owners shall be consolidated with the adjacent property and guaranteed to maintain as open space through a recorded, permanent open-space easement granted to the county. Money collected from the sale of the preserved areas shall be used for the retirement of additional lots.

Staff comments: The project proposes to utilize 76 TDCs to increase the allowed gross structural area of the project. The parcel is eligible to utilize up to 400 TDCs and proposes to use 76, and therefore complies with this standard. The project is conditioned to provide proof of TDC purchase at the time of construction permit application.

Parking and Access Standards. Two off-street spaces are required for each single-family dwelling. At least one space shall be covered (garage or carport), and the other space may be located within the front setback.

Staff comments: The proposed project has an existing two-car garage and complies with this standard.

Residential Design Criteria. The North Coast Area Plan contains discretionary design criteria for single-family residential development in Cambria. As described below, the proposed residence is consistent with applicable design criteria.

- A. **Impermeable Surfaces.** The project will result in approximately 325 square-feet of new impermeable area. Because of the size of the project is exempt from submitting a Storm Water Control Plan Application and Coversheet at the time of construction permit application.
- B. **Parking Drives and Garages.** The existing residence provides for a two-car garage, driveway, and approach. Though prominent the garage does not dominate the design of the residence.

- C. **Topography.** The subject parcel is gently sloping, with an average slope of 9%. The proposed project will not result in abrupt grade changes.
- D. **Drainage.** The project complies with this guideline as the project is conditioned to provide a drainage plan, consistent with the North Coast planning area standards, to Public Works for review and approval.
- E. **Building Design Standards.** The proposed residence and garage include articulation to break up the bulk of the structure, compatible in design and materials with the neighborhood design patterns. The design has a low pitched roof and is utilizing various heights and styles to prevent massing.

COASTAL ZONE LAND USE ORDINANCE STANDARDS:

Section 23.07.120: Local Coastal Program

The project site is located within the California Coastal Zone as established by the California Coastal Act of 1976, and is subject to the provisions of the Local Coastal Program.

Section 23.01.043c.(3)(i): Appeals to the Coastal Commission (Coastal Appealable Zone)

The project is appealable to the Coastal Commission because the subject parcel is located in an Environmentally Sensitive Habitat Area (Terrestrial Habitat).

Section 23.07.170.e(1-5) Environmentally Sensitive Habitat (ESH) Development Standards

1. New development within or adjacent to the habitat shall not significantly disrupt the resource.
2. New development within the habitat shall be limited to those uses that are dependent upon the resource.
3. Where feasible, damaged habitats shall be restored as a condition of development approval.
4. Development shall be consistent with the biological continuance of the habitat.
5. Grading adjacent to Environmentally Sensitive Habitats shall conform to the provisions of Section 23.05.034.c (Grading Standards.)

Staff comments: The project complies with these standards because there are no Monterey pines or oak trees on site, and the proposed stair enclosure and deck expansion is in a previously disturbed and paved area, and no vegetation removal is proposed.

Section 23.07.080: Geologic Study Area

The project site is located within the Geologic Study Area (GSA) combining designation, and is subject to the provisions of the CZULO. All land use permit applications for projects located within a Geologic Study Area (except those exempted by Section 23.07.082) shall be accompanied by a report prepared by a certified engineering geologist and/or registered civil engineer (as to soils engineering), as appropriate.

Staff comments: The proposed project is exempt from this requirement because the value of the alterations does not exceed 50% of the assessed value of the structure in any 12-month period.

COASTAL PLAN POLICIES:

Shoreline Access: N/A
Recreation and Visitor Serving: N/A
Energy and Industrial Development: N/A
Commercial Fishing, Recreational Boating and Port Facilities: N/A
Environmentally Sensitive Habitats: ☒ Policy No(s): 1, 3, 29, and 30
Agriculture: N/A
Public Works: ☒ Policy No: 1
Coastal Watersheds: ☒ Policy No(s): 8, 9, 10, and 11
Visual and Scenic Resources: ☒ Policy No(s): 1 and 2
Hazards: N/A
Archeology: ☒ Policy No(s): 1, 4, and 6
Air Quality: N/A

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned

COASTAL PLAN POLICY DISCUSSION:

Environmentally Sensitive Habitats:

Policy 1: Land Uses Within or Adjacent to Environmentally Sensitive Habitats: *The project complies with these standards because there are no Monterey pines or oak trees on site, and the proposed stair enclosure and deck expansion is in a previously disturbed and paved area, and no vegetation removal is proposed.*

Policy 3: Habitat Restoration: *The project complies with these standards because there are no Monterey pines or oak trees on site, and the proposed stair enclosure and deck expansion is in a previously disturbed and paved area, and no vegetation removal is proposed.*

Policy 29: Protection of Terrestrial Habitats: *The project complies with these standards because there are no Monterey pines or oak trees on site, and the proposed stair enclosure and deck expansion is in a previously disturbed and paved area, and no vegetation removal is proposed.*

Policy 30: Protection of Native Vegetation: *The project complies with these standards because there are no Monterey pines or oak trees on site, and the proposed stair enclosure and deck expansion is in a previously disturbed and paved area, and no vegetation removal is proposed.*

Public Works:

Policy 1: Availability of Service Capacity. *The proposed project is consistent with this standard because the applicant submitted a Confirmation of Water & Sewer Availability letter from the Cambria Community Services District dated August 1, 2016.*

Coastal Watersheds:

Policy 8: Timing of Construction and Grading. *The proposed project is conditioned to comply with this policy as the project shall have an erosion and sedimentation control plan where grading is conducted or left in an unfinished state during the period from October 15 through April 15.*

Policy 9: Techniques for Minimizing Sedimentation. *The proposed project is conditioned to comply with this policy as the applicant shall apply Best Management Practices in the selection and implementation of site maintenance.*

Policy 10: Drainage Provisions. *The proposed project is conditioned to comply with this policy as the applicant shall provide a drainage plan to San Luis Obispo County Public Works Department for review and approval, and shall implement the approved drainage plan, showing that construction of the guesthouse and garage will not increase erosion or runoff.*

Policy 11: Preserving Groundwater Recharge. *The proposed project is consistent with this policy as the project shall retain groundwater on-site to the extent feasible.*

Visual and Scenic Resources:

Policy 1: Protection of Visual and Scenic Resources. *The proposed project complies with this policy, as the project will be developed on a residential lot. The lot is within a developed section of Cambria and shall be in character and scale with the surrounding neighborhood, and will not significantly block existing scenic vistas.*

Policy 2: Site Selection for New Development. *The proposed project complies with this standard, as the proposed alterations will be developed on an existing residential lot with an existing residence, and the development will not block existing public views.*

Archaeology

Policy 1: Protection of Archaeological Resources. *This project will create approximately 325 square-feet of site disturbance in a previously graded and paved driveway area. The project is conditioned to cease construction in the event archaeological resources are uncovered.*

Policy 4: Preliminary Site Survey for Development within Archeologically Sensitive Areas. *This project will create approximately 325 square-feet of site disturbance in a previously graded and paved driveway area. The project is conditioned to cease construction in the event archaeological resources are uncovered.*

Policy 6: Archaeological Resources Discovered during Construction or through Other Activities. *The proposed project is conditioned to comply with this standard.*

COMMUNITY ADVISORY GROUP COMMENTS:

The North Coast Advisory Council (NCAC) considered this item at their August 17, 2016 regular meeting. The NCAC voted to recommend approval of this project with the condition that TDCs be purchased.

AGENCY REVIEW:

Public Works – Per attached referral response (Tomlinson, July 19, 2016), the proposed project requires a drainage plan and erosion and sedimentation plan.

Building Division – Per attached referral response (Stoker, August 3, 2016), the proposed project shall comply with all applicable building and safety codes.

Cambria Fire – See attached Fire Plan Review, dated August 30, 2016.

Cambria Community Services District – See attached Confirmation of Water & Sewer Availability letter, dated August 4, 2016.

California Coastal Commission – No response.

LEGAL LOT STATUS:

The one existing lot is Lots 32, 33, and 34 of Block 56 of Cambria Pines Unit 5 and was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Brandi Cummings and reviewed by Karen Nall.